

Exhibit H



BYRON W. BROWN
MAYOR

CITY OF BUFFALO
DEPARTMENT OF LAW



TIMOTHY A. BALL
CORPORATION COUNSEL

May 29, 2012

Joseph Todoro, Esq.
Spadafora & Verrastro, LLP
2 Symphony Circle
Buffalo, New York 14201

Re: *Adamson v. City of Buffalo, et al*

Dear Mr. Todoro:

In response to your Notice for Discovery and Inspection dated May 17, 2012 the Defendants respond as follows:

1. Enclosed please find documentation relating to the criminal activity of Zachary Adamson prior to and including April 1, 2011 consisting of seven (7) pages.
2. Please be advised that any personnel, disciplinary or other private matters relating to the City of Buffalo police officers are deemed confidential and not subject to disclosure pursuant to New York State Civil Rights Law §50-a.
3. The hiring of City of Buffalo police personnel is done through the Human Resources Department of the City pursuant to regulations regarding civil service qualification. This is a very broad area and if any specific information with regard to hiring is sought as requested, it must be done so with specificity and then it can be determined whether or not such information is available.

With regard to training of City of Buffalo police personnel, such is accomplished at the Basic Police Academy at the Erie County Law Enforcement Training Academy which is located at Erie Community College North. All Buffalo police department hires attend this academy which is operated by Erie County. Information regarding training can be obtained through this agency and by way of subpoena if necessary.

With regard to supervision and orienting of employees, such information may be contained in the City of Buffalo Department of Police Manual of Procedure which is voluminous in nature. You are certainly welcome to view this manual at a mutually convenient date and time and obtain any information thereto. Please note that the entire manual in total is not discoverable pursuant to Matter of Constantine v. Leto 79 NY 2d 975 which has been affirmed by the New York State Court of Appeals.

As a reminder, please be advised that Discovery Demands and Interrogatories were submitted to you by the Defendants along with the Answer in this matter. To date, a response has not been provided to either. Please provide such responses as soon as practical. Thank you for your attention to this matter.

Very truly yours,

Timothy A. Ball
Corporation Counsel



Carmen J. Gentile
Assistant Corporation Counsel

TAB:CJG:sm
Enclosures

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Repository Inquiry

To: ORTIZRI For: Richard Ortiz Case No: 2010 - NYSID No: 03872295Y - PDI

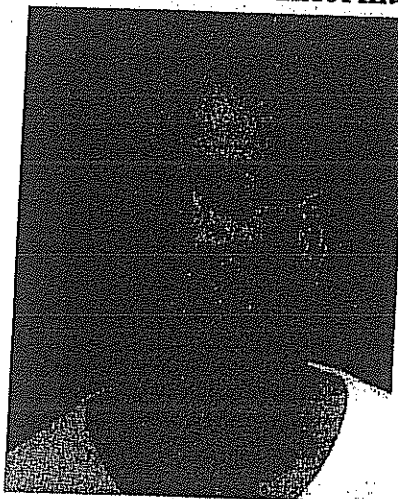
New York State Division of Criminal Justice Services
4 Tower Place

Albany NY 12203-3764

Tel: 1-800-262-DCJS

Sean M. Byrne, Acting Commissioner of the NYS Division of Criminal Justice Services

Identification Summary Criminal History Job/License Wanted Missing NCIC/III

● **Attention - Important Information*** See **Additional Information** at the bottom of this response for more banners pertaining to the criminal history● **Identification Information**

Name:
ZACHARY S ADAMSON ADAMSON G ZACKARY
ZACHARY ADAMSON

Date of Birth:
Jul 28, 1956

Place of Birth:
New York

Cycle 5

Arrest Date April 01, 2010

Address:

368 LINWOOD, BUFFALO, NY
250 W 63RD ST, NEW YORK, NY
120 VICTORIA, BUFFALO, NY
83 DELAM ST, BUFFALO, NY
83 DELHAM AVE, BUFFALO, NY 14216

Sex:	Race:	Ethnicity:	SkinTone:
Male	Black	Not Hispanic	Dark/Light/Medium Brown/Medium
Eye Color:	Hair Color:	Height:	Weight:
Brown	Brown	6' 00"	210

SSN:

083-48-1222 083-78-1222

NYSID#: **FBI#:** **NCIC Classification:**
03872295Y 488537MA9 11111014131211121414

III status: Criminal record in NYS only

● Summary Information

Name: ZACHARY S ADAMSON Total Arrests: 5
 Date of Earliest Arrest: June 06, 1975 Date of Last Arrest: April 01, 2010

Total Arrests Charges:	6
Felony:	0
Violent Felony:	0
Firearm:	0
Misdemeanor:	4
Other:	2

Total Convictions:	2
Felony:	0
Violent Felony:	0
Firearm:	0
Misdemeanor:	1
Other:	1
YO Adjudication(s):	0

Total Open Charges:	3
Felony Open Charges:	0
Open Misdemeanor(s):	1
Other Open Charges:	2

Warrant Information:	
Failure to Appear Counts:	6
Open Warrants:	0

Revocation Counts:	
Probation:	0
Parole:	0

Miscellaneous:	
Escape Charges:	0
Sex Offender Convictions:	0

● NYS Criminal History Information

Cycle 1

Arrest/Charge Information

Arrest Date: June 06, 1975

Name: ADAMSON G ZACKARY
 Date of Birth:
 Sex: Male
 Race: Black
 Address: 250 W 63RD ST, NEW YORK, NY
 Fax Number: 5664
 Place of Arrest: New York County, NY
 Date of Crime: June 06, 1975
 Place of Crime: City of New York, NY
 Criminal Justice
 Tracking No.: 01691512Q
 Arresting Agency: NYCPD Headquarters
 Arrest Number: 00100000
 Arrest Charges:

- Intent To Obtain Transportation Without Paying
 PL 165.15 Sub 03 Class A Misdemeanor Degree 0 NCIC 2699

Court Case Information

- Court: New York County Criminal Court Case Number: N534603

December 31, 1975

Dismissed

- Theft Of Services

PL 165.15 Class A Misdemeanor NCIC 2699

Cycle 2**Arrest/Charge Information**

Arrest Date: June 07, 1983

Name: ZACHARY S ADAMSON
 Date of Birth: July 28, 1956
 Sex: Male
 Race: Black
 Age at time of crime/arrest: 26
 Address: 120 VICTORIA, BUFFALO, NY
 Fax Number: 4865
 Place of Arrest: City of Buffalo, Erie County, NY
 Date of Crime: June 07, 1983
 Place of Crime: City of Buffalo, Erie County, NY
 Criminal Justice
 Tracking No.: 08742005P
 Arresting Agency: Buffalo City Police Department
 Arrest Number: 00138514
 Arrest Charges:

-- Criminal Trespass-3rd Degree
 PL 140.10 Class B Misdemeanor Degree 3 NCIC 5707

Court Case Information

-- Court: Buffalo City Court Case Number: 3C90658

July 19, 1983

Convicted Upon Plea Of Guilty

-- General Violation Of Local Law
 LOC Violation NCIC 7399

Sentenced to: Conditional discharge
 Fine Amount: \$10 Status: Paid in Full

Sentence Date: July 19, 1983

July 19, 1983

Dismissed

-- Criminal Trespass-3rd Degree
 PL 140.10 Class B Misdemeanor NCIC 5707

Cycle 3**Arrest/Charge Information**

Arrest Date: December 07, 1990 08:30 pm (20:30:00)

Name: ZACHARY S ADAMSON
 Date of Birth: July 28, 1956
 Sex: Male
 Race: Black
 Age at time of crime/arrest: 34
 Address: 368 LINWOOD, BUFFALO, NY

Fax Number 16128
 Place of Arrest: City of Buffalo, Erie County, NY
 Arrest Type: Court Summons
 Date of Crime: December 07, 1990
 Place of Crime: City of Buffalo, Erie County, NY
 Criminal Justice
 Tracking No.: 12267051J
 Arresting Agency: Buffalo City Police Department
 Arrest Number: 138514
 Arrest Charges:
 -- Petit Larceny
 PL 155.25 Class A Misdemeanor Degree 0 NCIC 2399

Court Case Information

-- Court: Buffalo City Court Case Number: 90M-21834

January 03, 1991

Bench Warrant Issued

January 08, 1991

Returned On Warrant

April 24, 1991

Dismissed

-- Petit Larceny

PL 155.25 Class A Misdemeanor NCIC 2399

■ Cycle 4 ■

Arrest/Charge Information

Arrest Date: December 08, 1990 04:30 am (04:30:00)

Name: ZACHARY S ADAMSON
 Date of Birth: July 28, 1956
 Sex: Male
 Race: Black
 Age at time of crime/arrest: 34
 Address: 368 LINWOOD, BUFFALO, NY
 Fax Number: 16154
 Place of Arrest: City of Buffalo, Erie County, NY
 Arrest Type: Court Summons
 Date of Crime: December 08, 1990
 Place of Crime: City of Buffalo, Erie County, NY
 Criminal Justice
 Tracking No.: 12267083P
 Arresting Agency: Buffalo City Police Department
 Arrest Number: 182118

Court Case Information

-- Court: Buffalo City Court Case Number: 90M-21715

December 10, 1990

Bench Warrant Issued

December 11, 1990
Returned On Warrant

January 03, 1991
Bench Warrant Issued

January 08, 1991
Returned On Warrant

March 15, 1991
Convicted Upon Plea Of Guilty
-- Attempted Petit Larceny
PL 155.25 Class B Misdemeanor NCIC 2399

Sentenced to: Conditional discharge
Term: Time Served
Fine Amount: \$50 Status: Paid in Full

Sentence Date: March 15, 1991

June 28, 1991
Bench Warrant Issued

July 05, 1991
Bench Warrant Issued

July 05, 1991
Returned On Warrant

October 17, 1991
Returned On Warrant

January 06, 1992
Bench Warrant Issued

March 16, 1992
Returned On Warrant

Interim release Status: Released on own recognizance (ROR)

■ Cycle 5 ■

Arrest/Charge Information

Arrest Date: April 01, 2010 07:00 pm (19:00:00)

Name:	ZACHARY S ADAMSON
Date of Birth:	July 28, 1956
Sex:	Male
Race:	Black
SSN:	083-48-1222
Age at time of crime/arrest:	53
Address:	83 DELAM ST, BUFFALO, NY
Fax Number	8135

Place of Arrest: City of Buffalo, Erie County, NY
 Arrest Type: Crime In Progress
 Date of Crime: April 01, 2010
 Place of Crime: City of Buffalo, Erie County, NY
 Criminal Justice
 Tracking No.: 64112768M
 Arresting Agency: Buffalo City Police Department
 Arresting Officer ID: BUF000186
 Arrest Number: 05579453
 Arraignment: Buffalo City Court
 Arrest Charges:

- Obstruct Governmental Administration-2nd Degree
 PL 195.05 Class A Misdemeanor Degree 2 NCIC 5099
- Disorderly Conduct:Obscene Language/Gestures
 PL 240.20 Sub 03 Violation Degree 0 NCIC 5311
- Disorderly Conduct:Obstructing Traffic
 PL 240.20 Sub 05 Violation Degree 0 NCIC 5311

No Court Reported Information

Other History Related Information

There is no Other History Related Information associated with this history.

Job/License Information

Civil Information

Type of Application: Municipal Employee
 Name: ZACHARY ADAMSON
 Address: 83 DELHAM AVE, BUFFALO, NY 14216
 Ethnicity: Not Hispanic
 Date of Birth: July 28, 1956
 SSN: 083481222
 Date of Application: August 17, 2009
 Application Agency: City of Buffalo Human Resources Department
 Application Number:

Wanted Information

There is no NYS Wanted Information associated with this history.

Missing Person Information

There is no NYS Missing Person Information associated with this history.

Additional Information

Caution: Identification not based on fingerprint comparison. This record was produced as the result of an inquiry.

According to our files, this individual does not appear to have History in III. However this does not preclude the possibility that the FBI does have a record. If you desire this information, please submit a request directly to the FBI.

Sentencing - Where an individual is sentenced June 1, 1981 or later on more than one charge within a docket, the sentence may be considered to be concurrent unless identified as consecutive.

Federal NCIC, III and/or FBI Response

The outstanding response(s) indicated below will be forwarded to your in-box upon receipt by DCJS. If you do not receive one or more of the indicated responses, please contact that state or agency directly.

- NCIC - Person Files
- NCIC - Protection Order File

III Information

A III inquiry is not allowed because this person does not have a III status that indicates there is data in other states.

WARNING: Release of any of the information presented in this computerized Case History to unauthorized individuals or agencies is prohibited by federal law TITLE 42 USC 3771b. This report is to be used for this one specific purpose as described in the Use and Dissemination Agreement your agency has on file with DCJS. Destroy after use and request an updated rap sheet for subsequent needs. All information presented herein is as complete as the data furnished to DCJS.